

MOTION TO REVIEW (DE NOVO) CHECKLIST – MILWAUKEE COUNTY

Note: To file a motion for a de novo review, you **MUST** have a copy of the order that you are trying to have reviewed.

Fees: None to file the motion. There may be fees for service (see below). Service by the Milwaukee County sheriff is free with an approved fee waiver.

1. Fill out pages 1 and 2 of the motion packet. On page 1, indicate what you want the court to order, what issue(s) this motion is pertaining to, the commissioner who heard your case, and on what date the hearing was held. On page 2, write why the commissioner's order should be changed. Date and sign at the bottom of page 2.
2. **Room G10-1 (Legal Resource Center)** – Make *4 copies* of your motion **AND** the order you are trying to have reviewed. Copies are 20 cents per page.
3. **Room 609 (Chief Judge's Office)** – If you are seeking a waiver of service fees, take the Affidavit of Indigency to this room. You must have proof of public benefits or proof of income (a month's worth of pay stubs) for consideration.
4. **Judge's Courtroom** - Go to the clerk in the courtroom of the judge to which your case is assigned and get a court date. **If this is for a review of a Domestic Violence Injunction Case (i.e., there is an "FA" in the case number and the case involved an injunction) – the case goes to the DV intake judge for that week. Please ask in Room G-9 of the Courthouse.**
5. **Room 101** – Deliver a copy of your motion to Child Support Enforcement if this involves child support **AND** they were present at your last hearing.
6. If you do not have the other parent's address, you can ask Child Support Enforcement to mail a copy for you and file an Affidavit of Mailing with the court. The cost is \$10 or free with fee waiver.
7. **Mail** a copy of the motion (certified mail, return receipt requested is recommended) to the other party **unless you have an injunction against you prohibiting you from contacting the other party**. In that case, you should arrange for the Sheriff (**Room 209 of the Safety Building** – skywalk is on the first floor) \$60 flat fee for up to three attempts.
8. **Certified Mail Receipt/Affidavit of Mailing/Proof of Service.** If you mail the motion via certified mail, bring your receipt of mailing to your hearing. If you mail it regular mail, you must complete an Affidavit of Mailing. You must sign this Affidavit in front of a notary. You must bring this document with you to the hearing. If the motion is personally served, bring you proof of service to the hearing. **All of your work in having serving the papers will be wasted unless you remember to bring your PROOF OF SERVICE to the hearing.**

YOU MUST BRING YOUR PROOF OF SERVICE WITH YOU TO THE HEARING OR YOUR CASE WILL NOT BE HEARD.

